

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 22ND AUGUST 2007 / 31ST SRAVANA 1929

Bail Appl..No. 5110 of 2007()

CRIME NO.529/07 OF KASARAGOD POLICE STATION

: PETITIONER/ACCUSED

1. SUMDARA POOJARY AGE 38
S/O. BABU POOJARY,GUTHU HOUSE,
ADKATHBAIL,KASARAGOD.
2. RAVIRAJ POOJARY AGE 28
S/O.NARAYANA POOJARY,
GUTHU HOUSE,ADKATHBAIL, KASARAGOD.

BY ADV. SRI.T.B.SHAJIMON

RESPONDENTS: COMPLAINANT

STATE OF KERALA REP. BY INSPECTOR OF POLICE
KASARAGOD POLICE STATION
REP. BY THE PUBLIC PROSECUTOR , ERNAKULAM

BY PUBLIC PROSECUTOR SRI.S.U.NAZER

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 22/08/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

R.BASANT, J

B.A.No.5110 of 2007

Dated this the 22nd day of August, 2007

ORDER

Application for anticipatory bail. The petitioners face allegations, inter alia, for offences punishable under Sections 406, 417 and 418 I.P.C. The crux of the allegations is that the petitioners were actively involved in the conduct of a kuri by name 'Vairjathhan Kuri'. Those who run the kuri had allegedly misappropriated amounts and fraudulently deceived the subscribers. The learned counsel for the petitioners submits that the petitioners have nothing to do with the conduct of the kuri. Their only nexus with the kuri is that the kuri was run in a building let out by the petitioners.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer and I am satisfied in the facts and circumstances of this case that the petitioners can be granted anticipatory bail. In the absence of opposition from the learned Public Prosecutor and in the light of the specific submissions of the learned Public Prosecutor that the petitioners are not required to be arrested now and steps are being taken to delete them from the array of parties, I am satisfied that anticipatory bail can be granted and appropriate conditions can be imposed.

3. In the result, the Bail Application is, allowed. If the petitioners were arrested as accused in this crime, they shall be released by the arresting official on their executing bonds for Rs.10,000/- (Rupees Ten thousand only) each without any sureties.

(R.BASANT, JUDGE)

rtr/-